



# Homeland Security and Emergency Services

## Interoperable and Emergency Communications

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Director

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of )  
 )  
AIRBORNE USE OF 700 MHZ PUBLIC SAFETY )  
NARROWBAND AIR-GROUND CHANNELS BY THE UNITED ) PS Docket No. 13-87  
STATES AND CANADA )  
 )

COMMENTS OF THE  
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

*April 28, 2017*

The State of New York ("the State") submits the following comments in response to the Federal Communications Commission's ("the Commission") *Public Notice*, DA 17-251 (released March 15, 2017).

The Commission has proposed two possible options for the use of 700 MHz air to ground communications near the United States-Canada border. The first option ("Option 1") is to share the eight US designated air-to-ground channels by establishing a new coordination zone and process. The second option the Commission has proposed ("Option 2") is to create a separate set of channels for Canada's exclusive use. However, under Option 2 the Commission proposes, these channels may require the relocation of some US incumbents in order to prevent interference.

The State is *strongly opposed* to Option 2. The State is within International Arrangement<sup>1</sup> Sharing Zone 1, Sector 2; therefore, the State has a very limited number of US Primary channels, even compared to other border areas. In certain border areas of the State, the limited number of 700 MHz narrowband general use channels are generally already encumbered by local trunked radio systems with thousands of users. In addition, based on the very small subset that are US primary channels in this sector the State has very carefully chosen which narrowband state pool channels to utilize. Those that are US Primary are utilized for statewide operations, leaving the non-US Primary channels for use in systems in other areas of the State. A

<sup>1</sup> SHARING ARRANGEMENT BETWEEN THE DEPARTMENT OF INDUSTRY OF CANADA AND THE FEDERAL COMMUNICATIONS COMMISSION OF THE UNITED STATES OF AMERICA CONCERNING THE USE OF THE FREQUENCY BANDS 764 TO 776 MHz AND 794 TO 806 MHz BY THE LAND MOBILE SERVICE ALONG THE CANADA-UNITED STATES BORDER ([https://transition.fcc.gov/ib/sand/agree/files/can-nb/764\\_806.pdf](https://transition.fcc.gov/ib/sand/agree/files/can-nb/764_806.pdf))

change in which state pool channels are US Primary will have a ripple effect throughout New York, possibly causing the need to retune systems and reprogram subscriber units as far away as the New York City metropolitan area.

While provisions must be established to ensure that neither country dominates the eight already-designated channels, we believe that Option 1 is the option of least impact to licenses in New York State. Option 1 will require limited, if any, retuning/reprogramming in the State. Having channels in common may also improve cross border communications for mutual air response activities, including rescues and interdictions.

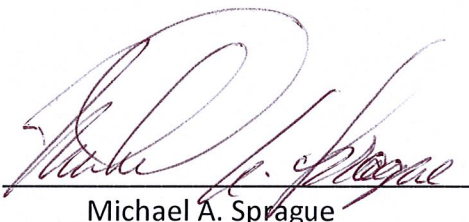
Although not proposed in the Commission's notice, the State encourages the further consideration of other options that do not require relocation of incumbents. However, due to the aforementioned limited number of channels available as US Primary, consideration should not include the use of the former narrowband "reserve" channels, as those that are US Primary may be available for general assignment according to the Region Planning Committee's plan.

In all actions and discussions with Canada, the Commission should continue to work to harmonize or improve availability of the Commission designated VHF and UHF National Interoperability Channels (also known as VCALL/VTAC/UCALL/UTAC). Licensing of channels in VHF and UHF has proved problematic for northern border states. Restrictions on licensing and construction hinders uniform interoperability.

Respectfully submitted,

STATE OF NEW YORK

By:

A handwritten signature in dark ink, appearing to read "Michael A. Sprague", is written over a horizontal line.

Michael A. Sprague

Director, Office of Interoperable and Emergency Communications;  
Statewide Interoperability Coordinator